



CHRISTOPHER R. TESTERMAN, AICP
Deputy County Administrator
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April 09, 2020

John McReynolds
Universal City Development Partners, Ltd.
1000 Universal Studios Plaza
Orlando, FL 32810

RE: Preliminary Development Plan Approval – Universal Boulevard Planned Development

Dear Mr. McReynolds:

On August 29, 2019, Orange County determined that this project qualifies as a Major Economic Development Project pursuant to Ordinance No. 2019-12, adopted by the Board of County Commissioners on August 6, 2019, and effective on August 13, 2019.

Consistent with that ordinance, Orange County has received and reviewed Universal City Development Partners, Ltd. (UCDP) application and associated plan for the Universal Boulevard PD / Perimeter Development Plan (PDP-19-10-342). That Perimeter Development Plan, dated "Received February 6, 2020" (the "PDP") has been reviewed by staff and is hereby approved, subject to the following conditions:

1. Development shall conform to the Universal Boulevard Planned Development; Orange County Board of County Commissioners (BCC) approvals; Perimeter Development Plan dated "Received February 6, 2020"; and to the conditions of approval listed below. Development based upon this approval shall comply with all applicable federal, state, and county laws, ordinances, and regulations, which are incorporated herein by reference, except to the extent any applicable county laws, ordinances, or regulations are expressly waived or modified by these conditions, or by the County Project Manager (CPM) pursuant to Section 38-30, Orange County Code, or by action approved by the BCC, or by action of the BCC.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Except as otherwise addressed in a separate roadway and infrastructure agreement, utilities agreement, or other applicable agreement, or as otherwise agreed to by the County: (i) property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use; (ii) Owner / Developer shall provide, at no cost to County, any and all easements required for approval of the project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance; (iii) any encumbrances on the property that are required to be dedicated or otherwise conveyed to Orange County (by plat or other means) that are discovered after approval of a PD Land Use Plan and have not otherwise been addressed in the above referenced agreement(s), shall be the responsibility of Owner /Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance, unless otherwise agreed to by the County; (iv) as part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
5. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this Perimeter Development Plan (PDP) to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property on the subject plan that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means), and to resolve any issues that may be identified by the County as a result of any such changes. Except as otherwise addressed in a separate roadway and infrastructure agreement, utilities agreement, or other applicable agreement, or as otherwise agreed to by the County, Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
6. The Project shall dedicate right-of-way for the extension of Kirkman Road in accordance with that certain Roadway and Infrastructure Agreement (Kirkman Road Extension) recorded in Orange County Public Records as Document #20190800173.

Pursuant to Orange County Code Sec. 38-30(i)(1), this determination will be posted in a conspicuous place on the County's website and the posting board on the first floor of the Orange County Administration Center within two (2) business days of such decisions, and will not become effective for fifteen (15) calendar days from the date of such decision. The approval of this PDP may be appealed by any aggrieved person to the BCC by filing a notice of appeal with me within fifteen (15) calendar days of the posting of this decision.

Pursuant to Orange County Code Sec. 38-30(f)(3)b(iv), this PDP is not subject to expiration if a vertical building permit is issued for any portion of the project within the PDP in question no later than two (2) years from the date of PDP approval.

Sincerely,



Christopher R. Testerman, AICP
Deputy County Administrator acting as County Project Manager

CRT/lb

- c: Eric P. Raasch, AICP, Planning Administrator, Planning Division
- Joel D. Prinsell, Deputy County Attorney, County Attorney's Office
- Whitney E. Evers, Assistant County Attorney, County Attorney's Office
- Sheri Davis, Assistant Supervisor, Agenda Development Division